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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,687	06/17/2005	Philip St John Russell	1034279-000065	5680

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BUCHANAN, INGERSOLL & ROONEY PC  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER
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DEGHAN, QUEENIE S

ART UNIT	PAPER NUMBER
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1791

NOTIFICATION DATE	DELIVERY MODE
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02/22/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com  
offserv@bipc.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/506,687	<b>Applicant(s)</b> RUSSELL ET AL.	
	<b>Examiner</b> QUEENIE DEGHAN	<b>Art Unit</b> 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 97-104, 108, 109 and 111-117 is/are pending in the application.
- 4a) Of the above claim(s) 100-103 and 113 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 111-112, 117 is/are allowed.
- 6) ☒ Claim(s) 97-103, 108, 109 and 114 is/are rejected.
- 7) ☐ Claim(s) 104, 115 and 116 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 6, 2010 has been entered.

### ***Claim Objections***

1. Claim 114 is objected to because of the following informalities: claim 14 recites "at least one tub extending" in line 5. "tub" appears to be a spelling error. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 97-99 are rejected under 35 U.S.C. 102(b) as being anticipated by Schulman (3,990,874). Schulman discloses a connector for connecting a preform comprising a plurality of holes to a pressure source, the connector comprising two chambers, wherein each chamber is arranged to mate with a plurality of holes of a

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preform and each chamber is capable of being connected to different pressure sources (figures 1 and 2, co. 3 line 62 to col. 4 line 1).

4. Regarding claim 99, the chambers comprises apertures capable of receiving ends of tubes of a preform such that the tubes terminate in the apertures (figure 2).

5. Regarding claim 108, the connector is arranged to receive tubes of different lengths (figure 2).

6. Regarding claim 109, the width of the aperture through which the tubes (10, 11, 12) passes into in the chamber is larger than the diameter of the individual tubes.

7. Claim 114 is rejected under 35 U.S.C. 102(b) as being anticipated by Presby (WO 82/03345). Presby discloses a connector comprising a plurality of sections (i.e. 15, 16) arranged in a stack extending in a longitudinal direction from a first end to a second end, each section comprising a chamber, a passage ( i.e. 25, 26) in fluid communication with said chamber, and at least one hole (i.e. 33, 32), wherein the hole of a section is arranged to provide access to a chamber of that section for at least one tube (11) extending longitudinally from the first end of the stack through to the section, said passage being connectable to an external pressure controller so that the chambers of the different sections can be pressurized to a different pressure (figures 1-2, 6, & 8, page 2-3).

***Allowable Subject Matter***

8. Claims 104 and 115-116 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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9. Claims 111-112 and 117 are allowed.
10. The following is a statement of reasons for the indication of allowable subject matter. The prior art fails to disclose a connector capable of connecting to tubes of microstructured fiber preform, the connector comprising of chambers that are stacked, wherein each chamber comprising holes for allowing the tubes of a preform to pass through and are connectable to a pressure source.

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 97, 11 and 114 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to QUEENIE DEGHAN whose telephone number is (571)272-8209. The examiner can normally be reached on Monday through Friday 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Queenie Dehghan/  
Examiner, Art Unit 1791